

003637.100690



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrew Corlett et al.

Serial No.: 10/080,925                      Group:

Filed: February 22, 2002                      Examiner:

For: Network Metric System

685 Third Avenue  
New York, New York 10017  
212-297-5800

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Attn: Customer Service Center  
Initial Patent Examination Division

Sir:

In response to the outstanding "Notice to File Missing Parts ..." of March 18, 2002 on the above-identified application, the Applicants respectfully submit:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Commissioner for Patents, Washington, D.C. 20231, on May 17, 2002

\_\_\_\_\_  
John F. Gulbin

\_\_\_\_\_  
*John F. Gulbin*  
Signature

\_\_\_\_\_  
May 17, 2002

Date of Signature

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-1145.

877910A01051702

- a) a Declaration duly signed by both inventor/applicants, Andrew Corlett and Robert Mandeville;
- b) a Power of Attorney duly signed by Andrew Corlett;
- c) a Power of Attorney duly signed by Robert Mandeville;
- d) a copy of the "Notice to File Missing Parts ..." bearing the legend "Part 2-Copy to be returned with response"; and
- e) our check for \$987.00, the fees due at of the present time on the application for a small entity, such status being hereby claimed. A Fee Transmittal (Form PTO/SB/17), showing the various fees being paid by our check, is also enclosed.

It should be noted that the correspondence address given in the enclosed Declaration is different from that given when the application was filed. All correspondence should henceforth be addressed to the undersigned at the address on the declaration.

Respectfully submitted,



John F. Gulbin  
Registration No. 33,180

212-297-5800  
Pitney, Hardin, Kipp & Szuch, LLP  
685 Third Avenue  
New York, New York 10017-4024



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/080,925	02/22/2002	Andrew Corlett	4470-7

CONFIRMATION NO. 1175

30076  
BROWN RAYSMAN MILLSTEIN FELDER & STEINER, LLP  
SUITE 711  
1880 CENTURY PARK EAST  
LOS ANGELES, CA 90067

## FORMALITIES LETTER



\*OC000000007661197\*

Date Mailed: 03/18/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/24/2002 TBESHAH1 00000037 10080925

FILED UNDER 37 CFR 1.53(b)

01 FC:201	370.00 OP
02 FC:203	468.00 OP
03 FC:202	84.00 OP
04 FC:205	65.00 OP

*Filing Date Granted*

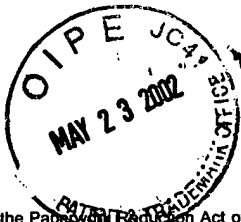
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1104.
  - \$936 for 52 total claims over 20.
  - \$168 for 2 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1974.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



M. in

MP

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Patent and Trademark Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
987**Complete if Known**

Application Number	10/080,925
Filing Date	February 22, 2002
First Named Inventor	Andrew Corlett
Examiner Name	
Group Art Unit	
Attorney Docket No.	003637.100690

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	370
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)  
370**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Independent Claims	Multiple Dependent	Extra Claims		Fee from below	Fee Paid
			20**	3**		
72	5		52	2	9	468
					42	84

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)  
552

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)  
65**SUBMITTED BY**

Name (Print/Type)	John F. Gulbin	Registration No. (Attorney/Agent)	33,180	Telephone	212-297-5800
Signature	John F. Gulbin	Date	May 17, 2002		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.